

Town of Shrewsbury - Board of Selectmen
Richard D. Carney Municipal Office Building-Selectmen's Meeting Room
100 Maple Avenue
Monday, April 28, 2003 at 7:00 PM

Minutes

Present:

Bruce Card, Maurice DePalo, Thomas Fiore, Philip Hammond, John Lebeaux, and Daniel Morgado, Town Manager. Mr. Fiore called the meeting to order at 7:04pm.

Preliminaries:

1. Approve bills, payrolls and warrants #0385 in the amount of \$1,382,580.14 and #0388 in the amount of \$5,753,861.35.
2. Approve Minutes of April 14, 2003. Motion made, seconded and unanimously voted to approve.
3. Announcements – Mr. Hammond asked the manager to check on the overgrown bushes, etc. at the corner of Spring and School Streets. This is dangerous situation traffic wise as visibility is limited. Mr. Morgado will check. Mr. Hammond also mentioned that a portable toilet located at the Glavin Center fields should be moved away from private property and closer to the fields for convenience of those attending and playing in events. Mr. Morgado will take care of this matter. Mr. Fiore announced that the annual Town Election is next Monday, May 5th. Polls will be open from 7:00am to 8:00pm. There is a new location for Precinct 9. Voting will take place in the multi-purpose room of the Liberty Assembly of God Church on Hartford Turnpike. Also, Parks & Recreation summer brochures are now available at the town offices, library and on the web site. They will be sent home in the public schools through grades K-8. Registration begins Saturday, May 10th at the Middle School from 8:00am-11:00am and will continue through the week of May 12th during normal business hours at town offices. Early registration for seniors, 62 and older, begins on May 8th. Registrations are also being accepted for late spring adult and youth golf lessons. The Spring Street Destination Imagination Team will be sponsoring a coffee and donuts fundraiser during the May 10th registration to support their competition trip to Tennessee
4. Town Manager's Report - Nothing other than what is on the Agenda.

Mr. Fiore announced that at the present time there is a DCAM public hearing going on regarding the former Grafton State Hospital property. As the Board is able to attend, he asked them to review a draft statement on their stand on the property for signature. This will be hand delivered by Mr. Hammond, in his capacity as a member of the Land Use Subcommittee. After reviewing the statement, motion was made, seconded and unanimously voted to sign. Mr. Hammond left the meeting to deliver the document to the DCAM hearing.

The board reviewed several agenda items and upon Mr. Hammond's return the meeting was resumed.

Meetings:

5. 7:00pm – Robert Tozeski –

Mr. Lebeaux announced that he had contacted the Ethics Commission regarding his participation in the water rate discussion and was advised that they did not consider his participation to be a conflict of interest. He has filed papers regarding this concern with the Town Clerk.

a) Request for Water Conservation Measures – Mr. Lebeaux recused himself from the discussion citing possible conflict of interest. Mr. Tozeski presented proposed measures for water conservation. He asked that the Board adopt the odd/even watering restriction effective May 18th. The schedule for outdoor watering would be as follows: 1) odd numbered addresses would water on Wednesday, Friday and Saturday; 2) even numbered addresses would water on Tuesday, Thursday and Saturday. No outdoor watering would be allowed on Monday. This is a first step, more stringent measures will be pursued if necessary. After a brief discussion, motion was made, seconded and voted four in favor and one abstention to approve the water restrictions effective May 19, 2003.

b) Proposed Water Rates – The current rates are \$24.00 for the first 5,000 gals., \$1.80 per thousand for 5,000-49,999 gals. and \$2.40 per thousand for over 50,000 gals. Mr. Tozeski presented a proposal showing several scenarios for new rates which would promote conservation by decreasing the charge for smaller users and increasing charges for larger users. Mr. Morgado advised that the Board would also have to think about whether they wished to apply the rate schedule to commercial users. Rates have not been changed for 12 years. The change would help lower users and get those that use more to pay their fair share. After a discussion, the Board decided that a public hearing should be held on this matter, possibly next month.

c) Modification of Rules & Regulations - Mr. Lebeaux recused himself from the discussion citing appearance of conflict of interest. Mr. Tozeski advised the Board that rewording of section nine (9) of the Rules and Regulations regarding Water Connection Permit should be reworded. The current wording states “The connection of automatic in ground lawn and garden irrigation systems to the municipal supply after February 11, 2003 is prohibited.” He proposed that the wording be modified to allow connections to take place for installations that were completed or begun prior to January 1, 2003. After a discussion the Board decided to modify Mr. Tozeski’s proposed amendment by adding the statement relative to those systems installed prior to January 1, 2003 but striking the word “begun”. The Board also added the stipulation that connections would only be allowed during the seven (7) day window between April 29, 2003 and May 5, 2003. Motion was made to approve amendments to section nine of the Water Department Rules and Regulations, Water Connection Permit as follows “The connection of automatic in ground lawn and garden irrigation systems to the municipal supply after February 11, 2003 is prohibited with the exception of systems that were installed prior to January 1, 2003. A seven day window for hook-ups to the municipal water system will be allowed between April 29, 2003 and May 5, 2003.” Motion was seconded and voted four in favor with one abstention.

6. 7:15pm – Rep. Polito – State Budget. Rep. Polito updated the Board on the budget adding that debate will begin in the House on Wednesday of this week. She added that Shrewsbury fairs better under the House Ways & Means figures than under the Governor’s figures. The House version of the budget provides \$12.7 million to Shrewsbury, while the Governor’s allocates \$11.2 million. This budget does have several features that would impact the town negatively; elimination of the SBA reimbursement for the new high school, transportation funding for grades K-6 and funding for the senior pharmacy program. She said that the representatives from our area are trying to find funding for the programs and working to restore the SBA reimbursement. Rep. Polito advised the Board that things will not get better quickly possibly continuing into FY05 and raising taxes will not help. Board members asked the Representative several budget related questions including when they could expect to see the final budget figures. Rep Polito said that she hoped that they would be available by the end of June but more realistically by July. The Board thanked Rep. Polito for coming in and providing them with the update.

Public Hearings:

7. 7:30pm – Street Acceptances of Public Ways. Jack Perreault and Walter Castagna, of the Engineering Dept., were present. Mr. Perreault advised the Board that originally 45 streets were on the list for acceptance but many had not been able to make the Town’s requirements. Therefore, he is recommending 21 streets, totaling 3.5 miles, for acceptance. Streets that were dropped from the list are in the Ternberry and Winchester I & II subdivisions. Streets recommended for acceptance are: Baldwin Circle, Bracken Rd., Bridle Path p/o, Coachman Ridge Rd., Dickinson Circle, Eliot Circle, Faulkner Rd., Hawthorne Rd., Hemingway St. p/o, Holman Heights Circle, Horseneck Rd., Keyes House Rd. p/o, Myriah Rd., Old Cart Rd., Rams Gate Pl., Saxon Ln. p/o, Stonybrook Ln. p/o, Tip Pond Rd., Travis Rd., Weagle Farm Rd., and Woodchuck Hill Rd. After a discussion on what could be done to as an incentive to get developers to bring the streets up to standard for acceptance, Mr. Fiore opened the hearing to the public. Several residents asked questions relating to the streets to be accepted. Engineering will address their concerns. Motion was made, seconded and unanimously voted to close the hearing. Motion was made to approve the street listed for acceptance as public ways to Town Meeting. Motion was seconded and unanimously voted.

Old Business:

8. Discussion of Policy 9 to "Limit the number of Class II Used Car Licenses to Total of Twenty (20)". Mr. Hammond and Mr. Card are looking into this matter. Mr. Hammond asked that this item be held over until the next meeting for a complete report. Discussion postponed until May 12th.
9. Appoint ZBA Associate Members. Motion was made to appoint Alfred Confalone, David L'Ecuyer and Robert Mahowald as Associate Members of the ZBA for terms of one year expiring on March 31, 2004. Motion was seconded and unanimously voted.

New Business:

10. Request from Fallon Community Health Plan to travel portions Shrewsbury streets during the 20th Fallon Five Road Race on Sunday, September 28, 2003 from 11:00am to 1:00pm. Motion as made, seconded and unanimously voted to approve request.
11. Sign Town Clerk's Bond for \$9,500.00. Motion was made, seconded and unanimously voted to sign the bond.
12. St. Mary's Syrian Orthodox Church, 1 Industrial Drive. One Day All Alcohol License for Social Gathering, Saturday, May 17, 2003, 7:00pm-12:00 midnight. Motion was made, seconded and unanimously voted to approve.
13. St. Mary's Syrian Orthodox Church, 1 Industrial Drive. One Day All Alcohol License for Wedding Reception. Saturday, July 5, 2003 from 6:00pm-12:00 midnight. Motion was made, seconded and unanimously voted to approve.
14. Struck Catering, 130 Hamilton Street, Worcester, MA. One Day All Alcohol License for event at Hoagland-Pincus Conference Center, 222 Maple Avenue, Tuesday, April 29, 2003, 6:00pm-9:00pm. Motion was made, seconded and voted three in favor, Mr. Card abstaining, and Mr. Hammond absent from the proceeding, to approve.

Executive Session:**Communications:**

15. Noted copy mailed: E-mail from John Chase, 40 Trowbridge Lane, re Littering & soliciting problem in my neighborhood. There is no regulation covering this type of littering. Mr. Morgado will look into and make a determination.
16. Noted copy mailed: Letter from Myles Hirsch, 516 Main Street, expressing interest in appointment as an Associate Member of the ZBA.
17. Noted copy mailed: MMA Action Alerts of 4/11/03, 4/16/03 and 4/23/03.
18. Noted copy mailed: Notice from MMA re workshop offered by Mass. Assoc. of Human Rights & Relations Commission on community disruption caused by hate groups
19. Noted copy mailed: Letter from Connie Peters, 256 So. Quinsigamond Ave., re speed increase on So. Quinsigamond Ave. This matter is scheduled for discussion on May 12th. Ms. Peters' concerns will be addressed at that time.
20. Noted copy mailed: USFilter Monthly Compliance Report, March 2003.
21. Noted copy mailed: City & Town, Vol. 16, No. 4 – April 2003.
22. Noted copy mailed: ZBA Hearing Minutes, 3/5/03, Kris Vokes, 33 Bay View Drive.
23. Noted copy mailed: Jack Perreault's letter to D.E.P. re Shrewsbury - WMA – ACO-CE-03-F001.
24. Noted copy mailed: Notice of complaint from ABCC re Cole & Bonin, 225 Boston Turnpike. ABCC will be notified that the Board has no plans to investigate this matter and that they are free to proceed. Tabled for now.
25. Noted copy mailed: Statistics from A.D. John Conte re disposition of criminal cases for Worcester Div. of the Superior Court first three months of FY03.
26. Noted copy mailed: Conservation Commission Minutes, 2/28/03 & 3/18/03.
27. Noted copy mailed: COA Meeting Minutes, 2/12/03 & 3/12/03.
28. Noted copy mailed: ZBA Hearing Minutes, 4/9/03, William Carr, 21 Washington Street.
29. Noted copy mailed: ZBA Hearing Minutes, 4/9/03, Michael & Vanessa Hale, 8 Wesleyan Terrace.
30. Noted copy mailed: ZBA Hearing Minutes, 4/9/03, Francis Greenough, 72 Lake Street.
31. Noted copy mailed: ZBA Hearing Minutes, 4/9/03, Richard & Elizabeth Quinlivan.

32. Noted copy mailed: ENF for Summit Ridge (complete report on file in BOS office).
33. Noted copy mailed: Request from Mr. Morgado to University of Mass. Medical School to use the parking lot behind Hoagland Pincus Ctr. for parking associated with civil war reenactment on 5/10/03, 9:00am-3:00pm.
34. Noted copy mailed: ENF for Hickory Hill Estates II (complete report on file in BOS office).
35. Noted copy mailed: Notice of ZBA Public Hearing for Enterprise Rent-A-Car Co. of Boston, Inc., 800 Hartford Turnpike.
36. Noted copy mailed: Letter from Robert Mahowald, 10 Spring Street, expressing interest in appointment as Associate Member of the ZBA.
37. Noted copy mailed: Letter from Library Board of Trustees requesting No Parking Zone in area along side of 1980 addition. Mr. Morgado will forward to Chief Sampson for input.
38. Noted copy mailed: Notice from Commonwealth of Mass. re Public Hearing: Transfer of 102.35+/- acres of land, former Grafton State Hospital. This hearing took place this evening. Mr. Hammond presented letter with Board's stand on the matter.
39. Noted copy mailed: Letter from Mark Campaniello, 41 Knowlton Avenue, expressing interest in appointment as Associate Member of the ZBA.
40. Noted copy mailed: Mass. Dept. of Revenue Bulletin, 2003-010B re Federal & State Assistance- Feb. 2003 Snow Removal Costs.
41. Noted copy mailed: E-mail from Robert Koenig re Lake Street fields. Parks & Recreation Director Snell will keep on file.
42. Noted copy mailed: Shrewsbury Parks & Recreation News for 4/14/03 – Summer Information & Community News.
43. Noted copy mailed: Notice of Central Mass. Regional Caucus of Legislators – Economic Summit on 4/30/03.
44. Noted copy mailed: ZBA Hearing Agenda, 5/14/03.
45. Noted copy mailed: Letter from William C. Ballou, Jr. expressing interest in appointment as an Associate Member of the ZBA.

Motion was made, seconded, and unanimously voted to adjourn at 9:17pm.

Respectfully submitted,

Janice C. McCoy
Secretary